to Apr

	_		- 1
Of the Liverpool			
Globe Insurance	Co.,	of Live	rpoo",
England for the 31, 1905.	year	r ending	Dec.
Capital paid up in	U. S.		
Assets	\$	12,23-,94	8 25
Liabilities exclusive	e of	capi-	

tal and net surplus 6,972,668 49 INcome Premiums ..... 6.804.856 63 461,602 88 Other sources ..... Total income 1905..... 7,266,459 51 Expenditures -,519,143 50

Losses ..... Dividends, none in the U.S. Other expenditures .. 2,277,920 96 Fire Business 1905 Risks written ..... 998,746,932 00 Premiums thereon .... 10,955,269 33

Losses incurred..... 3,455,760 38 Nevada Business Risks written ...... 553,985 00 Premiums received .... 18.085 35 3.255 (0) Losses paid ..... Losses incurred ..... 8.255 00 GEO H. MOORE, Sear.

### -0-0 ANNUAL STATEMENT

Of the Western Assurance Company of Toronto, Canada. Assets .....\$2,456,786 38 Liabilities, exclusive of capital and net surplus.... 1,707,194 19 Income Premiums ..... 2,458,857 49 Other sources ...... 71,450 25 Total income 1905 ..... 2,530,307 74 Expenditures Losses ...... 1,543,464 07 Total expendaures 1,05 2,389,609 09 Business 1905 Risks written ...... 3,404,284 95 Losses incurred ...... 1,141,438 e2 Nevada Business Risks written ...... 79,649 00 Premiums received ..... 2,280 95 Losses paid ..... 835 50 1,335 50 Losses Incurred ..... C. C. POSTER, Secty.

### -444 ANNUAL STATEMENT

Cf the National Surety Co of N.v York, N. Y. Wm. B. Boyce, President Samuel H. Shriver, Secty. Capital deposited .....\$ .500,000 05 Assets ...... 2,216,713 88 Income Liabilities, exclusive of capital and net surplus. . 1,276,553 47 Premiums ...... 1,211 021 51 Other sources...... 137.50 Total income 1905..... 1,348,562 66 Expenditures Other expenditures.... 612,402 62 1.065,030 64 Total expenditures.... **Business** 1905

Losses incurred ..... Nevada Business Premiums received.... Amt of said policies ...

# ANNUAL STATEMENT

pany of New York

Disbursements 1905 Paid policy holders ... 35,643,185 47 Paid on all other accounts.. ..... 15,329,781 80 Adjustment of Real Estate valua-Total disbursements.... 55.972,967 27 the trial or hearing of any cause or Nevada Business Number of risks written Amount of risks written and

Amt of same .......... 1.784,880 '00 ing demurrer or motion." W. J. EASTON, Secty. -----

OFFICIAL COUNT OF STATE STATE OF NEVADA.

County of Ormsby, s. s.

asury of Nevada and found the same performed." correct as follows:

Coin Paid coin venchers not returned to Controller 40,911 76

298.154 up State School Fund Securities. Irredeemable Nevada State 380,000 00 School bond Mass. State 3 procent 527,000 00

Nevada State Bonds 203,700 00 Mass. State 31/2 per cent bonds 313,000 00 United States Bonds 215,000 00

bonds

Total

W. G. Douglass John Sparks Subscribed and sworn before me this

1,996,854 66

27th day of Feb., A. D. 1906. J. Doane. Notary Public, Ormsvy County, Nev.

mits and overcoats will be

IN THE SUPREME COURT OF THE STATE OF NEVADA. Ebenezer Twaddle and Ebenezer Estate of Alexander Twaddle, de-

ceased. Plaintiffs and Respondents

Theodore Winters, A. C. Winters, L. W. Winters and Samuel Longa-Defendants and Appellants

From 2d Judicial District Court, Washoe County.

Messrs. Cheney and Massey, attorneys for Plaintiffs. Alfred Chartz, attorney for Defend-

DECISION The respondents have moved to dismiss the appeal from the judgment because it was not taken within one year, and to dismiss the appeal from the order of the district court denying appellants motion for a new trial, also to strike from the records the statement on motion for a new trial, upon the ground that the statement was not filed within the time prescribed by law. The appeal from the judgment is dismissed because not taken until March, 1905, more than one year after its rendition on June 23, 1903. On that day Judge Curler of the Second Judicial District court who had tried the case at Reno and rendered the decree, made in open court and had entered in the minutes an order "that all business and all cases and proceedings that have not been completed or in the process of Other expenditures ..... 846.145 92 completion, and all new business that may be brought before the court during the absence of the presiding judge. be referred to Judge M. A. Murphy of the first judicial district court of the State of Nevada, and that he be requested to try, determine and dis- pose of enabling them to secure from the latitude are not incode so you pass pose of all cases and business now before the court in the absence of the State, a transcript of the testimony judge of this district."

Pursuant to this request Judge Mu"phy occupied the bench in Reno until ment. July 31, 1903, when a recess was taken until a further order of the court. There was no other session until Judge Curler's return on August 17th. On July 17th, Judge Murphy, in open court in Reno, made an order allowing plaintiff until August 15th in which to file objection to findings. and prepare additional findings... On August 3d Judge Murphy at Carsor City, and within his own first judi- not necessary for him to make the trip | 425 Markov St. and San Francisco, Co. cial district, by an ex parte order made without affidavit of Judge Curler's absence or inability, granted that simply extending time, such as are defendants until September 15, 1903, Paid policy holders .... 452.628 a2 within which to prepare, file and serve their notice and statement on motion for a new trial. Later extensions were made by Judge Curler, but Risks written ....... 424,727,900 on whether they are effectual depends Premiums thereon..... 1,438,270 4; upon this order, which respondents 660,384 to claim Judge Murphy was unauthorized to make under Section 197 of the Amt. of risks written.. 21,500 00 Practice Act which provides in regard 159 50 to notices and statements on motions go 128 80 for new trial that "the several periods GILBERT CONGDIN, asst. sery of time limited may be enlarged by the written agreement of the parties. or upon good cause shown by the court, or the judge before whom the case is tried," and under district court rule XLIII which directs that "no judge, except the judge having charge. Liabilities exclusive of capiof the cause or proceeding shall g art further time to plead, move, or do any act or thing required to be done in any cause or proceeding, unless it be shown by affidavit that such in tre is absent from the scate, or from some other cause is unable to act."

Rule XLI provides: "When any tions June 20...... 5,000,600 00 district judge shall have entered upon proceeding, demurrer or motion, or made any ruling, order or decision therein, no other judge shall do any Premiums received ..... 71,020 28 proceeding, demurrer or motion, un-Losses and claims paid.. 19.486 13 less upon written request of the judge Losses and claims incurred 32,486 1.5 who shall have first entered upon the Policies in force Dec. 31, 1905 859 trial or hearing of said cause, proceed-

Section 2573 of the Compiled laws. passed after section 197 of the Practice Act as quoted, enacts: "The dis-FUNDS, trict judges of the State of Nevada shall possess equal coextensive and Of The North British & Mercanto's concurrent jurisdiction and power. They shall each have power to hold John Sparks and W. G. Dong- court in any county of the State. lass being first duly sworn They shall each exercise and perform the powers, duties and functions of say they are members of the the court, and of Judges thereof, and this bilities, exclusive of capi-Board of Examiners of the State of of Judges at Chambers. Each judge Nev., than on the 27th day of Feb "6 shall have power to transact business they, (after having ascertained from which may be done in chambers at the books of the State Controller the any point within the State. All of amount of money that should be in this section is subject to the provithe Treasury) made an official exami- sions that each judge man direct and nation and count of the money and control the business in his own disvouchers for money in the State Tre | trict, and shall see that it it properly

We think under the minute order Total expense ...... and circumstances related, the power inherent in Judge Curler to extend Pisks written ...... 562.246.792 (b) Policies 5 amount ..... the time of filing the notice and statement became conferred upon Judge Losses incurred ..... 1.861.090 36 Murphy during the former's absence, and that Judge Murphy became the Judge in charge, endowed with the au- Losses paid ..... thority to grant the extension without the presentation of the affidavit showing the absence or inability of Judge Curler, as the rule requires before the order can be made by a Judge not

having the business in charge. Judge Curer's absence was presumed to continue until his return was shown and consequently Judge Murphy's authority based upon that absence would likewise continue. It is said that under the first statute mentioned, the language that "the court or judge before whom the case was tried" may extend the time invalidates the order, because Judge Mur phy was not the judge before whom it was tried, and that he was not the - ' reason- court after he returned to Carson City where he made the order. In a ner row technical sence this may be true if we do not look beyond the strict le letter of the statute. But not so if we consider the intent and purpose of

the enactment, and construe it in the

light of reason as applied to the or-

dinary rules of practice, and give due weight to the later section. Appar- Notice . ently the object of this legislation was -Twaddle as Special Admr., of the to prevent the granting of extensions and the meddling of judges in cases which they had not tried or which 12th were not properly under their control, with and yet in the case of the absence or Statu inability of the judge who tried the and ir. action, to grant relief, or allow ex- County . tensions to be made to deserving liti- vada. gants.

The argument advanced concedes appropriate that if Judge Murphy had gone to State of Reno and entered the order in open the mace court it would have been good, but under this contention if he had stepped points in through the door into the chambers in T if i and made it, it would have been void, and Orders extending the time for filings accounts are business usually, or properly in 2 to 1. Orders extending the time for filings transacted in chambers and under T 15 N L during his vacation, but by analogy on or before June 1, 1903. the construction claimed, if adopted, would, in every case where a district judge dies, resigns or is succeeded. invalidate the orders extending time under section 197 made out of court by his sucessor in office, although they are of that character ordinarily granted in champers. This would mean a distinction and two rules for filing orders of the same kind, this instance, could make the order in chambers, while his successor could to make these simple orders extendpreviously tried by another judge

the court reporter who had left the given on the trial, which would ena-

them the extension at any place in ness for him, we conclude that he was son City as he did, and as Indge Curler could have done, and that it wato Reun and undergo the formality of opening court to enter ex parts orders usually made out of court.

The motion to dismiss the appeal Receipt ............\$132,652.60 from the order overruling the moth 1 Disbursements .......... 147,864 %7 for a new trial and to strike out th statement is denied.

## ANNUAL STATEMENT

way. New York.

Deposit with Ins. Department New York ..... \$ 200,000 as Deposit with United States Trustees ..... 2,056,000 to

4.097,095 00 tal and net surplus ... 2,807,874 27 Income

Losses ..... 2,049,052 85 Business 1995

Reinsurance premiums there-Nevada Business Reinsurances accepted from Companies authorized to do business in Ne-

vada.

O. EHMANN, Asst. ----0-0----

ANNUAL STATEMENT

Ins. Co., Of London & Edinburgh For the year ending December 31, 1905 Deposited in United States ......

....\$ 200,000 0 Assets ..... 6,677,905 77 tal and net surplus . 2.738 274 41 Income Premiums ...... 3,860,228 05 

Dividends ..... Other expenditures ... 1,339,115 72 Business 1905

Fremiums theron ..... 5,249,402 07 Nevada Business Descriptus received .... 1.834 51 Losses incurred ..... 9 184 59

### ------ANNUAL STATEMENT

Of the State Insurance Company of Of the State Life Insurance Company of Indianapolis, Indiana.

Capital (paid up) ...... Assets ......\$4,126,682 20 liabilities, exclusive of capital and net surplus .. 3,521,265 61

Total income, 1905 ..... 2,729 911 06 Expenditures Other expenditures ..... 1.195,693 07

Biological Company of the service of ் பின்றக்கி பின்மான கட்கிய

a in the Percention

the Sie on the on a necomance Car of the apter ALVI, of the The Coar n Palato V. sughels City in a Vildes of Carson, lassby and State of Ne Illin. on. pp. cation to the State coada for permission to dation were Eng neer e public waters of the this. The bill o and like cubic feat per State by the judge having the case in of the last schall begin before June

> Signed: HEL Y THURTELL. State Engineer

THE EAST

Over the Scenic Line of the World. if you are Louis cast and want to and that the judge who had tried the save in this sett ravel with pleasure cause as Judge Curler had done in and comfort it will pay you to inyest our personally conducted tearist so make it only in the cases tried by excursions. The nurties are in charge him, and would have to be in court, of a Manager who accompanies the cors through t ask Louis, Chicago, ing time in actions which had been and the almeter feast and rives his Appellants desired and were enticle personal at aut or to the welfare of ed to the time granted for the pur each paceauter to his charge. The the mind, the in the samed scenery on the I done has a malgarole Hallman ble them to properly prepare the state- | by daylight Openion Observation curs isomething entirely news are Under Section 2573 Judge Curlor tree to all passengers tet us know could have made an order granting where you are going and we will Attest: the Sinte, and as during his absence the and to also you sult indomnation Judge Murphy was requested by the latent your first the lowest rates of Court minutes to attend to all bust- fore are nearly in tree if charge some empowered to make the order at Ca: | Nachlange Library of books of travel ACLE SHOTWELL

9699

ANNUAL STATEMENT Of Business of the Nevada Co. for 1905

-20-

### ANNUAL STATEMENT

Of The Munich Re Insurance Co. Of Of The Germania Life Insurance Com-Munich, Bavaria. . pany of New York. Of The Fidelit United States department, \$46 Boad Caul'al apaid up) . . . 8 200,000 00 New York. Listencing exclusive of capital and her supplus ... 30.823,487 to Liabilities, exclusive of cani-Premiums 4.095 455 32 rotal income 1905 6.275,661 \$6 Other sources Expenditures Los es & Matured Endow-

business 1905

Nevada Business

Risks written ...... 340,495,386 60 Risks written ...... Premiums received ..... 1.000 00 1.000 50 G. HOYT, eScretary.

### ANNUAL STATEMENT

U. S. of A. Home office, 159 La Salle streat. Chicago, Ill.

Capital (paid up) ....\$ 1,000,000 00 Income 

ROBETR D. LAY, Secretary W. W. OLDS, Manager, Reno, Nev.

#### ----ANNUAL STATEMENT .

York, New York. Income Expenditures

Losses and claims .... 1,176,506 er apply at once to Miss Davis. ther sources ....... 208,553 95 Total expenditures, 1905 2,669,440 25 ish them. She will be pleased to dis. Co. School Dist. fund 1, library Business 1905 Risks written ...... 12,698,429 or play her outfit to ony one who is in-

Nevada Business

ORDINANCE NO. 112.

- The sof or Orum the Licensing of Game and a sing Besides in

Section

of E. by nouns of a flume shall carry on or conduct any bank- charge and make all arrangements. Section 2573 can and ought to be and pals and there used to generate any game played with cards, dice or made as effectually in any part of the electrical pages. The construction there devices whether the same has \$80.00 The construction that device, whether the same be \$80.00. charge, as if made by him in cham- 1, 16, and hall be completed up at dayed with money, checks, credit or Pullman berth rate to City of Mexbers or in open court. Judge Murphy before June 1, 1987. The water shall kery other valuable thing or repres too, \$12.60. was merely acting for Judge Curler be ac ually applied to a beneficial use sentative of value, shall pay for and For further information address the game, and hall pay or each license San Francisco Cal. twenty five dollars (\$25,00) per monch provided that when more than one TOURIST EXCURSION PARTIES TO of said games are carried on in the I beg to advise my patrons that the same room or apartment, whether price of disc records (either Victor by the same or different owners, each or Columbia;, to take effect immegame so carried on shall be separated diately, will be as follows until furly licensed; and provided further, ther notice: dinance is for the revenue only, and will be sold for 60 cents. suppression or regulation.

Section 2. The provisions of this fer. Ordinance shall apply to all time on and after October 1, 1905.

Section 3. Ordinance Number 53. Notice is hereby given that any and all other ordinances or parts of versen found bundles without a permit Ordinances in so far as they conflict the country over Theodo e with the provisions of this Ordi-, outers, out he possecuted A hanance are herby repealed.

President of the Board of City True of \$5 for the season or 50 cents for tees of Carson City, Nevada.

H. B. Van Etten, Clerk, Fig. For the West..

Tell your friends that the colonist rates are going into effect March 1st 1905 and entire May 15, 1905. The rate from Chicago, Hi, \$61.00, St. Laure Mo. New Orlean, Ln., '10 on, Counof Bluffs is, S. ux City, is, Omare, piled Feb. 1, 1906. Neb., Kat as Cay, Me., Mar ... | Dalare in County Treasury at as and houston Texas, \$15.06. Rates Bla and Nevisla

#### ---ANNUAL STATEMENT

Assets ..... \$5.711.677 25 (smital (pmid up) ... \$ 500 000 no Income Total income, 1905 . . . 5,718,713 60 Expanditures Business 1900 Risks written ...... 14.462.833 no Risks written ...... 1.116.102.632 71 General fund ....... 2732 39

Nevada Business 15 300 00 Risks written ...... 53000.00 6.484 68 Premiums received ROBERT J. HILLAS, Secretary 1 PV / /

## ANNUAL STATEMENT

Of Hammond Indiana. General office, Chicago, Illis, Of The National Life Ins. Co., Of The Capital (paid up) ..... \$ 300,000 no St. o chool fund, Dist 2...150 00 Assets ...... 1.708.611 28 State School from \$151.3 .... 150.00

Lightities, exclusive of capital and net surplus .. 1.157.641 7.0 Special building ...........5850 00 Income tal and net surplus ... 4,988,396 60 Other sources .......... 20,476 13 20,476 73 Promiums ...... 1,730,567 43 Losses ..... 902 004 8

12 000 00 Losses incurred ......

> ----Learn Art Embroidery .

Miss Gray Davis, whose skill in Co. School Dist, 2, furd. ..... 139 64 TOM G. GRANT, Gen'l Ag. Of The Home Life Ins. Co., Of New embroidery is well known, will give Co. School Dist. 3, fund..... 190 2614 instruction in mentmellick, shadow Co. School Dist. 3, fund..... 425 55 Capital (paid up' .....\$ 125,000 90 and eyelet embroidery. She has ill State School Dist 1, fund... 1608 00 the materials and designs for stamp- State School Dist, 2, fund.....77 51 tal and net surplus ... 16,682,194 41 ing shirt waists, corset covers, hand- State School Dist. 2, fund. .. 371 39 kerchiefs and other articles, State School Dist. 3, fund...371 35

Protat expenditures, 1905 . 1.762.287 #2 Risks written ..... 5.000 00 The Sierra Nevada mining company Premiums received ... 8.452 51

SPECIAL EXCURSION FROM SAN FRANCISCO TO CITY OF MEXICO AND RETURN. DECEMBER 16th. 1905.

A select party is being organized by istees I Carson the Southern Pacific to leave San Francisco for Mexico City, December nd e r gersen, 16th, 1965. Train will contain fige puration, or asso, yes finde sleepers and dining car, ad limits of carson the way on going trip. Time limit rry on a agent, will be sixty days, enabling excursionnote such application to menuse to make it proprietor, any isis to make side trips from City of posit tanyon creek at an area of the consister, remove kend, Mexico to points of interest. On reof S W to f section or any other con - nor prohibited by turn (rip, stopovers will be allowed at In E by means of a dam the statute of the State of Nevada, points on the main lines of Mexican on or operate any Central, Santa Fe or Southern Paciof S W 12 of section 11, dients in the belief or who fic. An excursion manager will be in

obtain a city license to carry on such fermation Bureau, 613 Market street.

0.13-

Liberal Offer.

that the license imposed by this Or. Ten inch disks formerly 70 cears

not for the purpose of prohibition, Seven inch records formerly 50c, now 35c. Take advantage of this of-C. W. FRIEND.

Notice to Hursetrs.

bed number of permits will be sold

SEFICE COUNTY AUDITOR the Honorable, the Board of Cor. ty Commissioners, Gentlemen:

In compliance with the law, & herewith submit my quarterly report showing contains and disburse. ments of fi-County, during the quarte, ..... 5 Dec. 30, 1905.

ine day.

Ougsterly Report. Ormsby County, Nevada. Receipts.

end of hast gen tir. ... \$40023 36 4 Caming beenses ...... 1077 50 is the same more pro-Spin at least 1 and 1 and 15 to pros 372,726 16 Star of Bores and access 10 00 Sele of purposes and account to

12 (8) Agt. Assn. Bond Fund. Series Co. School Fund. Dist. 1 ..... 288 95 Co. School fund Dist. 3 ...... 30 70 Of The Continental Casualty Company Co School Fund Dist. 4.....21.09 State School fund, Dist, 1., 2605 00 State School fund, Dist 4 ... 165 00

> 21,968 59% Re pitulation. Cash in Treasury October 1905 Receipts from Oct. 1st to Dec

30, 1905 ......21054 0038 Disbursements from Oct. 1st to Dec 30, 1905 ......21968 59% Balonce cash in County Treas.

January 1, 1906.....29108 7753 H. DIETERICH, County Auditor

Recapitulation Co. Schood Dist. 1, fund .. 7638 224

> Agl. Assn Fund Special... 1918 94

> Co School Dist, fund 3, library

> Co. School Dist fund 4, library ...... 6 10 Tetal

35188 77 % H. B. VAN STTEN County Pressurer

Risks written ...... 433.500 30 Losses paid ..... 2,500 00 ating on Cedar Hill dusing the month WILDUR S. WELL, Decretary. B. W. GLAD WIN, Secretary of February.